UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,314	01/25/2005	Takashi Ono	03500.017422	5994

5514   7590   09/24/2007
FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER
KASSA, HILINA S

ART UNIT	PAPER NUMBER
2625	

MAIL DATE	DELIVERY MODE
09/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/522,314	ONO, TAKASHI
	Examiner	**Art Unit**	
	Hilina S. Kassa	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>01/25/2005</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-10</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-10</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>25 January 2005</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>01/25/2005 and 08/26/2005</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

1.   The preliminary amendment submitted on 01/25/2005 has been acknowledged.

Claim Rejections - 35 USC § 101

2.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3.   Claims 5 and 6 are rejected under 35 U.S.C 101 because the claimed invention is directed to non-statutory subject matter as follows.

Claims 5 and 6 recite a "control program" which does not impart functionality to a computer or computing device, while defining a control program (e.g., a computer program, an algorithm, a medium, a program providing medium, a memory, etc.), does not define a "computer-readable medium" and is thus non-statutory for that reasons. A control program (e.g., a computer program, an algorithm, a medium, a program providing medium, a memory, etc.) can range from paper on which the program is written, to a program simply contemplated and memorized by a person. The examiner suggests amending the claim to embody the program on "computer-readable medium" in order to make the claim statutory.

> "In contrast, a claimed computer-readable medium encoded with the data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory." - MPEP 2106.IV.B.1(a)

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Ouchi (US Patent Number 5,987,494, see IDS) and Lam et al. (US Publication Number

2003/0142683 A1) and further in view of Thomson et al. (Request for comments 2462

IPv6 Stateless Autoconfiguration", The Internet Engineering Task Force (IETF)(online),

December 1998).

(1) regarding claim 1:

As shown in figure 1, Ouchi discloses an image processing apparatus having a

plurality of image processing functions (1, 3, 4, figure 1; column 3, lines 5-11; note that

multi-function information processing device is considered as the image processing

apparatus with plurality of image processing functions), comprising:

control means for communicating with other appliance on the network (20, 23,

figure 1) by use of the IP address generated for every image processing function

(paragraph [0036], lines 1-9; note that each peripheral devices have a unique IP

address) and operating each of the plurality of image processing functions in

accordance with a result of the communication (column 3, lines 37-47; note that the

multifunctional processing device has a control unit 20 in figure 1; also, note that the

operation of the printing, scanning and facsimile devices occur as communication gets established through the modem 23 of figure 1).

Ouchi discloses most of the subject matter as described as above except for specifically teaching, IP address generating means, connected to an IPv6 router on a network, for acquiring prefix information from said IPv6 router and generating an IP address unique to each of the plurality of image processing functions on the basis of the acquired prefix information and use of the IP address generated for every image processing function.

However, Lam et al. disclose, generating an IP address unique to each of the plurality of image processing functions on the basis of the acquired prefix information (paragraph [0036], lines 1-14; note that a unique IP address gets assigned for each device on the basis of the router); and by use of the IP address generated for every image processing function (paragraph [0036], lines 1-9; note that each peripheral devices have a unique IP address).

Ouchi and Lam et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to generate an IP address unique to each of the plurality of image processing functions on the basis of the acquired prefix information and use of the IP address generated for every image processing function. The suggestion/motivation for doing so would have been to access a multiplicity of multi-media peripheral devices without the expense and complexity of an Ethernet LAN

system, (paragraph [0014], lines 1-6). Therefore, it would have been obvious to combine Ouchi with Lam et al. to obtain the invention as specified in claim 1.

Ouchi and Lam et al. disclose most of the subject matter as described as above except for specifically teaching IP address generating means connected to an IPv6 router on a network, for acquiring prefix information from said IPv6 router.

However, Thomson et al. disclose IP address generating means connected to an Ipv6 router on a network, for acquiring prefix information from said IPv6 router (page 2, paragraph [0002] of Introduction; note that IPv6 defines an auto configuration mechanism of routers. Also, the stateless mechanism allows a host to generate its own address using a combination of locally available information provided by the routers. In addition to that, page 3 paragraph [0004] states that routes are expected to successfully pass the duplicate address detection procedure described in prior to assigning to an interface).

Ouchi, Lam et al. and Thomson et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to have an IP address generating means connected to an IPv6 router on a network, for acquiring prefix information from said Ipv6 router. The suggestion/motivation for doing so would have been that IPv6 addresses lease to an interface for a fixed length of time (page 3, paragraph [0002], lines 1-5) and IPv6 defines both stateful and stateless address autconfiguration mechanism (page 2, paragraph [0002], lines 1-5). Therefore, it would have been obvious to combine Ouchi, Lam et al. with Thomson et al. to obtain the invention as specified in claim 1.

(2) regarding claim 2:

Ouchi further discloses, an image processing apparatus (column 3, lines 5-11;
note that multi-function information processing device is considered as the image
processing apparatus with plurality of image processing functions) according to claim1,
wherein said control means executes the plurality of image processing functions by
executing, on a time-division basis using a task switchover (column 4, lines 9-15; note
that control program has a timer to switchover tasks on every 1/60 seconds), control
task programs corresponding respectively to the plurality of image processing functions
(column 4, lines 15-29; note that the control program, which is corresponding to a
plurality of functions, on the basis of the timer), and taking as a unit the control task
program corresponding respectively to the plurality of image processing functions
(column 5, lines 27-40; note that control programs correspond to the plurality of
functions of the multi-functional processing device).

Ouchi discloses most of the subject matter as described as above except for
specifically teaching control means perform the communication using the IP address
generated for every image processing function on the basis of the control task program.

However, Lam et al. disclose control means perform the communication using
the IP address generated for every image processing function on the basis of the
control task program (paragraph [0036], lines 3-8; note that central processing unit
communicates between each peripheral devises via the IP addresses that is assigned).

Ouchi and Lam et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to have control means perform the communication using the IP address generated for every image processing function on the basis of the control task program. The suggestion/motivation for doing so would have been to easily mange and access a multiplicity of multi-media peripheral devices without the expense of an Ethernet LAN system, (paragraph [0014], lines 1-6). Therefore, it would have been obvious to combine Ouchi with Lam et al. to obtain the invention as specified in claim 2.

(3) regarding claim 3:

Ouchi further discloses, a control method of an image processing apparatus having a plurality of image processing functions (column 3, lines 5-11; note that multi-function information processing device is considered as the image processing apparatus with plurality of image processing functions), comprising:

a controlling step for communicating with other appliance on the network (20, 23, figure 1) by use of the IP address generated for every image processing function (paragraph [0036], lines 1-9; note that each peripheral devices have a unique IP address) and operating each of the plurality of image processing functions in accordance with a result of the communication (column 3, lines 37-47; note that the multifunctional processing device has a control unit 20 in figure 1; also, note that the operation of the printing, scanning and facsimile devices occur as communication gets established through the modem 23 of figure 1).

Ouchi discloses most of the subject matter as described as above except for specifically teaching, an IP address generating step of establishing a connection to an IPv6 router on a network, for acquiring prefix information from said IPv6 router and generating an IP address unique to each of the plurality of image processing functions on the basis of the acquired prefix information and use of the IP address generated for every image processing function.

However, Lam et al. disclose, generating an IP address unique to each of the plurality of image processing functions on the basis of the acquired prefix information (paragraph [0036], lines 1-14; note that a unique IP address gets assigned for each device on the basis of the router); and by use of the IP address generated for every image processing function (paragraph [0036], lines 1-9; note that each peripheral devices have a unique IP address).

Ouchi and Lam et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to generate an IP address unique to each of the plurality of image processing functions on the basis of the acquired prefix information and use of the IP address generated for every image processing function. The suggestion/motivation for doing so would have been to access a multiplicity of multi-media peripheral devices without the expense and complexity of an Ethernet LAN system, (paragraph [0014], lines 1-6). Therefore, it would have been obvious to combine Ouchi with Lam et al. to obtain the invention as specified in claim 1.

Ouchi and Lam et al. disclose most of the subject matter as described as above except for specifically teaching IP address generating step of establishing a connection to an IPv6 router on a network, for acquiring prefix information from said IPv6 router.

However, Thomson et al. disclose IP address generating means connected to an Ipv6 router on a network, for acquiring prefix information from said IPv6 router (page 2, paragraph [0002] of Introduction; note that IPv6 defines an auto configuration mechanism of routers. Also, the stateless mechanism allows a host to generate its own address using a combination of locally available information provided by the routers. In addition to that, page 3 paragraph [0004] states that routes are expected to successfully pass the duplicate address detection procedure described in prior to assigning to an interface).

Ouchi, Lam et al. and Thomson et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to have an IP address generating means connected to an IPv6 router on a network, for acquiring prefix information from said Ipv6 router. The suggestion/motivation for doing so would have been that IPv6 addresses lease to an interface for a fixed length of time (page 3, paragraph [0002], lines 1-5) and IPv6 defines both stateful and stateless address autconfiguration mechanism (page 2, paragraph [0002], lines 1-5). Therefore, it would have been obvious to combine Ouchi, Lam et al. with Thomson et al. to obtain the invention as specified in claim 3.

(4) regarding claim 4:

Ouchi further discloses, a control method of an image processing apparatus according to claim 3, wherein said controlling step involves executing the plurality of image processing functions by executing, on a time-division basis using a task switchover (column 4, lines 9-15; note that control program has a timer to switchover tasks on every 1/60 seconds), control task programs corresponding respectively to the plurality of image processing functions (column 4, lines 15-29; note that the control program, which is corresponding to a plurality of functions, on the basis of the timer), and taking as a unit the control task program corresponding respectively to the plurality of image processing functions (column 5, lines 27-40; note that control programs correspond to the plurality of functions of the multi-functional processing device).

Ouchi discloses most of the subject matter as described as above except for specifically teaching control means perform the communication using the IP address generated for every image processing function on the basis of the control task program.

However, Lam et al. disclose control means perform the communication using the IP address generated for every image processing function on the basis of the control task program (paragraph [0036], lines 3-8; note that central processing unit communicates between each peripheral devises via the IP addresses that is assigned).

Ouchi and Lam et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to have control means perform the communication using the IP address generated for every image processing function on the basis of the control task program. The suggestion/motivation for doing so would have been to easily mange and

access a multiplicity of multi-media peripheral devices without the expense of an

Ethernet LAN system, (paragraph [0014], lines 1-6). Therefore, it would have been

obvious to combine Ouchi with Lam et al. to obtain the invention as specified in claim 4.

(5) regarding claim 5:

Ouchi further discloses, a control program of an image processing apparatus

having a plurality of image processing functions (column 3, lines 5-11; note that multi-

function information processing device is considered as the image processing

apparatus with plurality of image processing functions), comprising:

a controlling step for communicating with other appliance on the network (20, 23,

figure 1) by use of the IP address generated for every image processing function

(paragraph [0036], lines 1-9; note that each peripheral devices have a unique IP

address) and operating each of the plurality of image processing functions in

accordance with a result of the communication (column 3, lines 37-47; note that the

multifunctional processing device has a control unit 20 in figure 1; also, note that the

operation of the printing, scanning and facsimile devices occur as communication gets

established through the modem 23 of figure 1).

Ouchi discloses most of the subject matter as described as above except for

specifically teaching, an IP address generating step of establishing a connection to an

IPv6 router on a network, for acquiring prefix information from said IPv6 router and

generating an IP address unique to each of the plurality of image processing functions

on the basis of the acquired prefix information and use of the IP address generated for every image processing function.

However, Lam et al. disclose, generating an IP address unique to each of the plurality of image processing functions on the basis of the acquired prefix information (paragraph [0036], lines 1-14; note that a unique IP address gets assigned for each device on the basis of the router); and by use of the IP address generated for every image processing function (paragraph [0036], lines 1-9; note that each peripheral devices have a unique IP address).

Ouchi and Lam et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to generate an IP address unique to each of the plurality of image processing functions on the basis of the acquired prefix information and use of the IP address generated for every image processing function. The suggestion/motivation for doing so would have been to access a multiplicity of multi-media peripheral devices without the expense and complexity of an Ethernet LAN system, (paragraph [0014], lines 1-6). Therefore, it would have been obvious to combine Ouchi with Lam et al. to obtain the invention as specified in claim 1.

Ouchi and Lam et al. disclose most of the subject matter as described as above except for specifically teaching IP address generating step of establishing a connection to an IPv6 router on a network, for acquiring prefix information from said IPv6 router.

However, Thomson et al. disclose IP address generating means connected to an Ipv6 router on a network, for acquiring prefix information from said IPv6 router (page 2,

paragraph [0002] of Introduction; note that IPv6 defines an autoconfiguration mechanism of routers. Also, the stateless mechanism allows a host to generate its own address using a combination of locally available information provided by the routers. In addition to that, page 3 paragraph [0004] states that routes are expected to successfully pass the duplicate address detection procedure described in prior to assigning to an interface).

Ouchi, Lam et al. and Thomson et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to have an IP address generating means connected to an IPv6 router on a network, for acquiring prefix information from said Ipv6 router. The suggestion/motivation for doing so would have been that IPv6 addresses lease to an interface for a fixed length of time (page 3, paragraph [0002], lines 1-5) and IPv6 defines both stateful and stateless address autoconfiguration mechanism (page 2, paragraph [0002], lines 1-5). Therefore, it would have been obvious to combine Ouchi, Lam et al. with Thomson et al. to obtain the invention as specified in claim 5.

(6) regarding claim 6:

Ouchi further discloses, a control program of an image processing apparatus according to claim 3, wherein said controlling step involves executing the plurality of image processing functions by executing, on a time-division basis using a task switchover (column 4, lines 9-15; note that control program has a timer to switchover tasks on every 1/60 seconds), control task programs corresponding respectively to the

plurality of image processing functions (column 4, lines 15-29; note that the control

program, which is corresponding to a plurality of functions, on the basis of the timer),

and taking as a unit the control task program corresponding respectively to the plurality

of image processing functions (column 5, lines 27-40; note that control programs

correspond to the plurality of functions of the multi-functional processing device).

Ouchi discloses most of the subject matter as described as above except for

specifically teaching control means perform the communication using the IP address

generated for every image processing function on the basis of the control task program.

However, Lam et al. disclose control means perform the communication using

the IP address generated for every image processing function on the basis of the

control task program (paragraph [0036], lines 3-8; note that central processing unit

communicates between each peripheral devises via the IP addresses that is assigned).

Ouchi and Lam et al. are combinable because they are from the same field of endeavor.

At the time of the invention, it would have been obvious to a person of ordinary skilled in

the art to have control means perform the communication using the IP address

generated for every image processing function on the basis of the control task program.

The suggestion/motivation for doing so would have been to easily mange and access a

multiplicity of multi-media peripheral devices without the expense of an Ethernet LAN

system, (paragraph [0014], lines 1-6). Therefore, it would have been obvious to

combine Ouchi with Lam et al. to obtain the invention as specified in claim 6.

(7) regarding claim 7:

Ouchi further discloses, an apparatus according to claim 1, wherein said apparatus is a composite image processing apparatus which includes at least a printer function (20, figure 1; column 3, lines 7-9) and a scanner function as said image-processing functions (4, figure 1; column 3, lines 10-11).

(8) regarding claim 8:

Ouchi discloses all of the subject matter as described as above except for specifically teaching, wherein said IP address generating means sends the generated IP address to the router to check duplication of the IP address, and if the IP address duplicates, said IP address generating means generates an IP address different from the previously generated IP address on the basis of the said prefix.

However, Lam et al. disclose wherein said IP address generating means sends the generated IP address to the router to check duplication of the IP address (paragraph [0038], lines 4-16; note that the unique IP address of the peripherals gets stored as a simple look up table, if change or addition needs to be made, a new IP gets generated), and if the IP address duplicates (paragraph [0038], lines 8-9; note that if the IP address needs to be changed or added, a new IP gets generated), said IP address generating means generates an IP address different from the previously generated IP address on the basis of the said prefix (paragraph [0040], lines 3-22).

Ouchi and Lam et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to generate an IP address if there is duplication from the

previously generated address. The suggestion/motivation for doing so would have been

for efficiently access and utilize the devices. Therefore, it would have been obvious to

combine Ouchi with Lam et al. to obtain the invention as specified in claim 8.

(9) regarding claim 9:

Ouchi further discloses, a method according to claim 1, wherein said apparatus is

a composite image processing apparatus which includes at least a printer function (20,

figure 1; column 3, lines 7-9) and a scanner function as said image-processing functions

(4, figure 1; column 3, lines 10-11).

(10) regarding claim 10:

Ouchi discloses all of the subject matter as described as above except for

specifically teaching, wherein said IP address generating means sends the generated

IP address to the router to check duplication of the IP address, and if the IP address

duplicates, said IP address generating means generates an IP address different from

the previously generated IP address on the basis of the said prefix.

However, Lam et al. disclose wherein said IP address generating means sends

the generated IP address to the router to check duplication of the IP address (paragraph

[0038], lines 4-16; note that the unique IP address of the peripherals gets stored as a

simple look up table, if change or addition needs to be made, a new IP gets generated),

and if the IP address duplicates (paragraph [0038], lines 8-9; note that if the IP address

needs to be changed or added, a new IP gets generated), said IP address generating

means generates an IP address different from the previously generated IP address on the basis of the said prefix (paragraph [0040], lines 3-22).

Ouchi and Lam et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to generate an IP address if there is duplication from the previously generated address. The suggestion/motivation for doing so would have been for efficiently access and utilize the devices. Therefore, it would have been obvious to combine Ouchi with Lam et al. to obtain the invention as specified in claim 10.

Conclusion

6.   Any inquiry concerning this communication or earlier communication from the examiner should be directed to Hilina Kassa whose telephone number is (571) 270-1676.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Lamb could be reached at (571) 272- 7406.

Any response to this action should be mailed to:

Commissioner of Patent and Trademarks

Washington, D.C. 20231

Or faxed to:

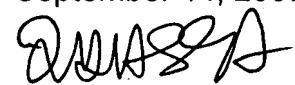**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal

Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the Technology Center 2600 Customer Service Office

whose telephone number is (703) 306-0377.

Hilina Kassa

September 14, 2007

TWYLER LAMB
SUPERVISORY PATENT EXAMINER